

**FILED**

OCT - 6 2021

CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND⑤  
FP  
NPUNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

PATRICK E. TRYON

Plaintiff,

vs.

GILLIG LLC

Defendant(s).

**C21-07817**

CASE NO. \_\_\_\_\_

EMPLOYMENT DISCRIMINATION  
COMPLAINT

TSH

1. Plaintiff resides at:

Address 1733 CLAYTON WAYCity, State & Zip Code CONCORD, CALIFORNIA 94519Phone (925) 532-9232

2. Defendant is located at:

Address 451 DISCOVERY DRIVECity, State & Zip Code LIVERMORE, CALIFORNIA 94551

3. This action is brought pursuant to Title VII of the Civil Rights Act of 1964 for employment discrimination. Jurisdiction is conferred on this Court by 42 U.S.C. Section 2000e-5.

Equitable and other relief is sought under 42 U.S.C. Section 2000e-5(g).

4. The acts complained of in this suit concern:

a. N/A Failure to employ me.b. X Termination of my employment.

1 c. ☒ Failure to promote me.

2 d. ☒ Other acts as specified below.

3 (SEE ATTACHED ENCLOSURE 1, ITEMS # 1-d)

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9 5. Defendant's conduct is discriminatory with respect to the following:

10 a. ☐ My race or color.

11 b. ☐ My religion.

12 c. ☐ My sex.

13 d. ☐ My national origin.

14 e. ☒ Other as specified below.

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16 6. The basic facts surrounding my claim of discrimination are:

17 (SEE ATTACHED ENCLOSURE 2, ITEMS # 1-7)

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25 7. The alleged discrimination occurred on or about 2007 - 2/26/2019

26 (DATE)

27 8. I filed charges with the Federal Equal Employment Opportunity Commission (or the  
28 California Department of Fair Employment and Housing) regarding defendant's alleged

**Attachment-Enclosure 1; Employment Discrimination Complaint Form-Intake 2, Page 2, Items # 4. The acts complained of in this suit concern; subsection d., Item numbers 1 – 9.**

4.d.) yes - Other acts as specified below;

1. Employer Wrongful Termination.
2. Employer Retaliation.
3. Employer Non-accommodation.
4. Employer Harassment (Sexual Inclusive)
5. Employer Hostile Work Environment.
6. Employer exploited Veteran Preference while ignoring Veteran's disclosed disabilities.
7. Employer culpability for exacerbating and worsening conditions of employee disabilities.
8. Employer denial of right to engage in an employee protected activity.
9. Employer Discrimination.

**Attachment-Enclosure 2; Employment Discrimination Complaint Form-Intake 2, Page 2, Item # 6. The basic facts surrounding my claim of discrimination are; Item numbers 1 – 7.**

- 1.) Employer engaged in ongoing and persistent harassment, retaliation and discrimination.
- 2.) Employer Retaliation, Harassment and Discrimination for employee engaging in a protected activity while exercising right to file complaint of harassment and non-accommodation of protected disability and injuries.
- 3.) Employer Discrimination while evading legal responsibilities during an employee protected activity, with the denial of right to exercise rights within that protected activity and failure to act on submitted complaint of the unlawful harassment, discrimination and non-accommodation of employee's protected disabilities and injuries.
- 4.) Employer failed to accommodate federally recognized disabilities disclosed by employee.
- 5.) Employer Harassed, Retaliated and Discriminated against employee for disclosing federally recognized and protected disabilities.
- 6.) Employer Non-accommodation and Discrimination of employee's injuries and disabilities during a protected and documented disability.
- 7.) Employer engaged in retaliation for reporting management level discrepancies and inconsistencies, culminating in retaliatory wrongful termination.

1 discriminatory conduct on or about DFEH - 2/25/20, EEOC - 6/30/21  
2 (DATE)

3 9. The Equal Employment Opportunity Commission issued a Notice-of-Right-to-Sue letter  
4 (copy attached), which was received by me on or about 7/14/2021.  
5 (DATE)

6 10. Plaintiff hereby demands a jury for all claims for which a jury is permitted:

7 Yes X No     

8 11. WHEREFORE, plaintiff prays that the Court grant such relief as may be appropriate,  
9 including injunctive orders, damages, costs, and attorney fees.

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11 DATED: 10/6/2021

Patrick Tryon

12

SIGNATURE OF PLAINTIFF

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14 (PLEASE NOTE: NOTARIZATION

PATRICK TRYON

15 IS NOT REQUIRED.)

PLAINTIFF'S NAME

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(Printed or Typed)

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EEOC Form 161-B (11/2020)

## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

## NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Patrick E. Tryon  
1733 Clayton Way  
Concord, CA 94519

From: Oakland Local Office  
1301 Clay Street  
Ste. 680-North  
Oakland, CA 94612

☐

On behalf of person(s) aggrieved whose identity is  
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

555-2021-01203

Bryan G. Hoss,  
Intake Supervisor

(510) 956-0015

## NOTICE TO THE PERSON AGGRIEVED:

(See also the additional information enclosed with this form.)

**Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), or the Genetic Information Nondiscrimination Act (GINA):** This is your Notice of Right to Sue, issued under Title VII, the ADA or GINA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII, the ADA or GINA **must be filed in a federal or state court WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

☐

More than 180 days have passed since the filing of this charge.

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Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of this charge.

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The EEOC is terminating its processing of this charge.

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The EEOC will continue to process this charge.

**Age Discrimination in Employment Act (ADEA):** You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, **the paragraph marked below applies to your case:**

☐

The EEOC is closing your case. Therefore, your lawsuit under the ADEA **must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice**. Otherwise, your right to sue based on the above-numbered charge will be lost.

☐

The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of the charge, you may file suit in federal or state court under the ADEA at this time.

**Equal Pay Act (EPA):** You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission

07-14-2021

Bryan Hoss

Bryan Hoss  
cn=Bryan Hoss, o=Equal Employment  
Opportunity Commission,  
email=bryan.hoss@eEOC.gov, c=US  
2021.07.14 14:24:09 -07'00'

Enclosures(s)

For/ Steven T. Hunt,  
Director

(Date Issued)

cc:

Maria Loar  
Vice President of Human Resources  
GILLIG LLC  
451 DISCOVERY DR  
Livermore, CA 94551